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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 21 October 2004 from the Permanent Mission of Singapore to the United Nations addressed to the Chairman of the Committee

Pursuant to Security Council resolution 1540 (2004), I am pleased to submit to you and to the Committee established pursuant to that resolution the attached report of the Government of the Republic of Singapore (see annex).

(*Signed*) Vanu Gopala **Menon**
Ambassador Extraordinary and Plenipotentiary

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Annex to the note verbale dated 21 October 2004 from the Permanent Mission of Singapore to the United Nations addressed to the Chairman of the Committee

National report of Singapore on the implementation of Security Council resolution 1540 (2004)

1. Singapore supports international efforts for the non-proliferation of weapons of mass destruction. Singapore had signed on early to various non-proliferation regimes: the Non-Proliferation Treaty (in 1976), the Biological Weapons Convention (in 1975), the Chemical Weapons Convention (in 1997) and the Comprehensive Test-Ban Treaty (in 2001).

National legislative measures

2. Singapore has in place various legislative measures to counter the proliferation of weapons of mass destruction. These are the Strategic Goods (Control) Act, the Regulation of Imports and Exports Act, the Chemical Weapons (Prohibition) Act, the Arms Offences Act and the Arms and Explosives Act.

Strategic Goods (Control) Act

3. As part of its efforts to help curb the proliferation of weapons of mass destruction, Singapore implemented in January 2003 a robust and enhanced export control system that would support global efforts to curb the proliferation of weapons of mass destruction and fight international terrorism. The Strategic Goods (Control) Act controls the transfer and brokering of strategic goods, strategic goods technology, goods and technology capable of being used to develop, produce, operate, stockpile or acquire weapons capable of causing mass destruction, and of missiles capable of delivering such weapons, and for purposes connected therewith. A copy of the Act is available at www.stgc.gov.sg.

4. The Act covers a wide range of transactions. In addition to controlling the export, re-export, trans-shipment and transit of goods related to weapons of mass destruction, it also includes brokering controls, and controls in intangible transfers of technology. The control list is drawn from the major international regimes and covers munitions, biological toxins, chemical precursors and sensitive dual-use items. Most important, there is a catch-all provision that allows Singaporean authorities to enforce export control laws on items that are intended for weapons of mass destruction end use but have not been included in the control list. Wide powers are also given to law enforcement officers for arrest, search and seizure. The Act imposes heavy penalties for parties involved in transferring or brokering the transfers of strategic goods or technology. A first-time offender can be subjected to a maximum fine of S$ 100,000 (or even more, depending on the value of the goods or technology concerned) or a maximum sentence of two years' imprisonment, or both.

5. Singapore Customs is the National Authority for the implementation of the Strategic Goods (Control) Act. Singapore Customs processes all permit applications, registers and audits arms brokers, conducts industry outreach and public awareness programmes and enforces the Act and its Regulations on violations of strategic goods control. Singapore Customs actively acts on timely and reliable intelligence

on potential shipments that violate Singaporean laws. Based on risk management, checks are conducted on relevant documents, such as the end-user certificates, bills of lading, invoices and import licences issued by the competent authority of the final destination country.

6. Singapore is continually monitoring its system and will make further refinements to it, be they in terms of control lists or procedures, where necessary. Singapore Customs has been conducting regular outreach sessions to educate industries on the Singaporean strategic goods control system. Participants are also reminded of the need to exercise due diligence, particularly with regard to goods originating from the countries and entities that are listed in the lists compiled under the relevant Security Council resolutions, and unilateral lists of certain countries such as the United States of America, Japan and members of the European Union. The aim is to sensitize the community to the export control system of Singapore and gradually to ease them into it as the system continues to be refined.

Regulation of Imports and Exports Act

7. The Regulation of Imports and Exports Act and its Regulations provide the framework under which Singapore regulates and controls general imports and exports. It also regulates controls on countries under Security Council embargo and certification of the Import Certificate and Delivery Verification system which regulates controlled items from originating countries for end-users in Singapore.

Chemical Weapons (Prohibition) Act

8. The Chemical Weapons (Prohibition) Act gives effect to the Chemical Weapons Convention. It prohibits, among other things, the use, development, production, acquisition and transfer by non-State actors of any chemical weapon, as well as any attempt to assist, encourage or induce another party to participate in these schemes. The punishment for any person who contravenes such prohibitions with respect to chemical weapons is imprisonment for a term which may extend to life imprisonment and a fine not exceeding $S 1 million (sect. 8 (1) of the Act).

9. The Chemical Weapons (Prohibition) Act is administered by the National Authority (Chemical Weapons Convention). The National Authority processes licence applications of controlled chemicals and facilitates inspection visits by the Organization for the Prohibition of Chemical Weapons.

Arms Offences Act

10. The Arms Offences Act criminalizes the unlawful possession of arms and ammunition, the carrying and use of arms and trafficking in arms. These arms would include firearms, bombs, or grenades and any component parts. The penalties for these offences are heavy, with the maximum sentence being a death penalty for the offences of using arms or trafficking in arms.

Arms and Explosives Act

11. The Arms and Explosives Act provides the framework for Singapore to regulate the manufacture, use, sale, storage, transport, importation, exportation and possession of arms and explosives.

International cooperation

12. In addition to the legislation described above, Singapore is also an active participant in various multilateral operational arrangements that enhance its efforts to counter any possible proliferation of weapons of mass destruction. The first is the Container Security Initiative (CSI) which was designed to protect containerized shipping from exploitation by terrorists. Singapore was the first Asian country to sign the Declaration of Principles for CSI with the United States on 20 September 2002. Under CSI, containers destined for United States ports may be selected for checks in Singapore ports using the Vehicle and Cargo Inspection System for weapons of mass destruction. As part of the CSI effort, Singapore has introduced new equipment like radiographic scanners into two of our port terminals. Its port authorities also organized several dialogue sessions involving major shippers, shipping lines, logistics companies and the United States Customs Service to discuss CSI and related initiatives. CSI screening commenced on 17 March 2003.

13. The second effort is the Proliferation Security Initiative (PSI), an operational arrangement aimed at preventing the proliferation of weapons of mass destruction, their delivery systems, and related materials at sea, in the air or on land, in accordance with national and international laws and frameworks. Singapore joined the PSI core group in March 2004, since the proliferation of weapons of mass destruction is a particular and major threat to a small country like Singapore. Singapore has participated actively in the PSI plenary and operational experts meetings. To hone its operational readiness and effectiveness, Singapore has also taken part in various PSI interdiction exercises since January 2004. It has identified its policy and operational points of contact as the Ministry of Foreign Affairs and the Ministry of Defence, respectively.

Cooperation with international organizations

14. Singapore jointly hosted the inaugural Asian National Authorities Meeting with the Organization for the Prohibition of Chemical Weapons, from 29 to 31 October 2003, which promoted cooperation and awareness of the Chemical Weapons Convention in the region. In April 2003, the Centre for Chemical Defence at DSO National Laboratories became the first in South-East Asia to be designated by the Organization for the Prohibition of Chemical Weapons to test for the presence of chemical warfare agents and related compounds.

15. Singapore assumed a seat on the Board of Governors of the International Atomic Energy Agency, beginning September 2004 for a period of two years.